

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MALCOLM DUBOSE,  
Plaintiff,  
-against-  
SUNY MARITIME COLLEGE OFFICE OF  
FINANCIAL AID, et al.,  
Defendants.

Case No. 1:24-cv-05547 (JLR)

**ORDER**

JENNIFER L. ROCHON, United States District Judge:

On July 19, 2024, pro se Plaintiff Malcolm DuBose brought this equal educational opportunity action pursuant to 20 U.S.C. § 1706, alleging that Defendants — the SUNY Maritime College Office of Financial Aid and five individual administrators — denied him federal student aid without just cause. *See generally* Dkt. 1.

On August 22, 2024, the Clerk of Court issued a summons as to all Defendants, *see* Dkt. 10, and by November 5, 2024, all Defendants had accepted service, *see* Dkts. 19-23, 27.

On November 25, 2024, Plaintiff filed a letter requesting the Court to “recommend this case” to the Department of Justice “for intervention on [his] behalf,” Dkt. 24 (citing 20 U.S.C. § 1709); a motion to issue a new summons as to Defendant SUNY Maritime College Office of Financial Aid, Dkt. 25; and a motion to compel all Defendants to respond to the complaint, Dkt. 26.

On November 26, 2024, counsel for Defendants entered an appearance, *see* Dkt. 28, and Defendants moved to dismiss the Complaint, *see* Dkts. 29-31.

Because all Defendants have been served, and because Defendants filed a timely motion to dismiss the Complaint, the Court hereby DENIES as moot Plaintiff’s motions to

issue a new summons and to compel a response to his complaint. The Clerk of Court is respectfully directed to terminate the motions pending at Dkts. 25 and 26.

The Court further DENIES Plaintiff's letter request to recommend intervention. Plaintiff has made the Government aware of this action, *see* Dkt. 24, and the Attorney General may intervene upon timely application, *see* 20 U.S.C. § 1709.

Dated: November 27, 2024  
New York, New York

SO ORDERED.

  
\_\_\_\_\_  
JENNIFER L. ROCHON  
United States District Judge